

Remarks

Courtesies extended to Applicants' representative during the personal interview held on August 28, 2007, are acknowledged with appreciation.

As discussed during the personal interview, in accordance with the present invention, there are provided novel G-protein-coupled receptor proteins which have high binding affinity for corticotropin-releasing factor (CRF), thus, such proteins are referred to as CRF-receptors (CRF-Rs). In particular, the present claims are directed to human subtypes CRF-RA₁ and a splice variant thereof containing a 29 amino acid insert, CRF-RA₂. Invention receptors are principal neuroregulators of the hypothalamic-pituitary-adrenal cortical axis and play an important role in coordinating the endocrine, autonomic and behavioral responses to stress and immune challenge. CRF-Rs are functionally coupled to adenylate cyclase transduction of the signal for CRF-stimulated intracellular cAMP accumulation. Invention CRF-Rs or fragments thereof can be employed in a variety of ways, such as, for example, in bioassays, for production of antibodies thereto, in therapeutic compositions containing such proteins, fragments, and/or antibodies, and the like.

No claim amendments are submitted at this time. Thus, claims 1, 2, 5-11, 13, 14, and 19 remain pending in the application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination, is presented in the Listing of Claims, beginning on page 2 of this communication, with an appropriate status identifier for each claim.

Claim Objection

The objection to claim 7 as being dependent on a rejected base claim is acknowledged. However, the claim is not amended at this time in view of Applicants' belief that, based on the present communication, the claim from which claim 7 depends (i.e., claim 1) is in condition for allowance.

Claim Rejection under 35 USC § 112, First Paragraph (Enablement)

The rejection of claim 13 under 35 U.S.C. § 112, first paragraph as allegedly failing to meet the enablement requirement is respectfully traversed for at least the reasons already of record. In addition, as discussed at the personal interview, the Examiner's attention is directed to issued claim 12 of the parent application now issued as US Patent No. 6,638,905, which employs substantially the same language as present claim 13.

Accordingly, reconsideration and withdrawal of this rejection under 35 U.S.C. § 112, first paragraph, are respectfully requested.

Double Patenting

The rejection of claims 1-2, 5-6, 8-11, 13-14 and 19 on the ground of nonstatutory obviousness-type double patenting over claims 1-23 of U.S. Patent No. 6,638,905 ("the '905 patent") is respectfully traversed.

It is respectfully submitted that the claims of the present application (directed to certain CRF receptor proteins) are patentably distinct from the claims of the '905 patent (directed to different CRF receptor proteins which have consistently been asserted by the Patent Office to be patentably distinct therefrom). See, for example, the Restriction Requirement issued during the prosecution of Application Serial No. 09/191,724 (from which the '905 patent issued; *see* Paper No. 22 thereof), where claims drawn to "a receptor protein" as shown in SEQ ID NO:2 (Group I) were restricted from claims drawn to "a receptor protein" as shown in SEQ ID NO:15 (Group VI). Thus, the claims as filed in the present application are consistent with the grouping of claims set forth in the Restriction Requirement in the parent case. Therefore, the rejection on the ground of nonstatutory obviousness-type double patenting is not proper.

However, in order to reduce the issues and expedite prosecution, Applicants hereby submit a Terminal Disclaimer, disclaiming the portion of the present application which may extend beyond the expiration of the '905 patent.

Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Conclusion

In view of the above remarks, reconsideration and favorable action on all claims is respectfully requested. In the event any matters remain to be resolved in view of this communication, the Examiner is encouraged to call the undersigned so that a prompt disposition of this application can be achieved.

Respectfully submitted,

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By _____

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Enclosure: Terminal Disclaimer with respect to US Patent No. 6,638,905